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09/678,253	10/03/2000	Hideo Honma	35.C14856	4780

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EXAMINER

AGGARWAL, YOGESH K

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 11/19/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/678,253

**Applicant(s)**

HONMA, HIDEO

**Examiner**

Yogesh K Aggarwal

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 October 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

***Claim Rejections - 35 USC § 102***

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-40 are rejected under 35 U.S.C. 102(e) as being anticipated by Anderson (US Patent # 5,973,734).

**[Claim 1]**

An output control method for controlling output of image data imaged by image pick up means, comprising:

A display control step of displaying said image data on display means (col. 4 lines 55-57),

wherein the display control step compares aspect ratios of a thumbnail image and a main image in said image data, and performs control so that said thumbnail image is used as display data to be displayed on said display means when the aspect ratios are the same, and that said main image [The decompressed, resized, and cropped image is being read as a main image] is used as said display data when the aspect ratios are different (col. 13 lines 1-17 figure 12). [In figure 12 the first step is to compare the aspect ratios of an image with the aspect ratio of a LCD screen which displays the scrennail type image which is same as a thumbnail image but fills the visible area of the LCD display and if the aspect ratios are same the low-resolution scrennail image is displayed in step 920 but if the aspect ratios are different the crop is determined in step 916 and the scrennail size image is decompressed and resized into the main image and then displayed on the whole screen].

**[Claim 2]**

The output control method according to claim 1, wherein said image pick up means is a digital camera (col. 3 lines 50-52)

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[Claim 3]

The output control method according to claim 1, wherein said display means is a Cathode Ray Tube display (col. 3 lines 52-57)[A host system can be a computer in which the display can be a CRT].

[Claim 4]

The output control method according to claim 1, wherein said display means is a Liquid Crystal Display (col. 1 lines 14-16).

[Claim 5]

The output control method according to claim, wherein said display means is a television receiver (col. 3 lines 52-57)[A host system can be a TV Receiver display].

Regarding claims 6-10 these are apparatus claims corresponding to method claim 1-5 respectively. Therefore, claims 6-10 are analyzed and rejected as previously discussed with respect to claim 1-5.

[Claim 11]

An output control method for controlling output of image data imaged by image pick up means, comprising:

a display control step of displaying said image data on display means (col. 4 lines 55-57), wherein the display control step compares aspect ratios of a thumbnail image and a main image in said image data, and performs control so that said thumbnail image is used as display data to be displayed on said display means when the aspect ratios are the same, and that said thumbnail image is cut off to have the aspect ratio of said main image and used as said display data when

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the aspect ratios are different (col. 13 lines 1-17 figure 12).[ In figure 12 the first step is to compare the aspect ratios of an image with the aspect ratio of a LCD screen which displays the screenrail type image which is same as a thumbnail image but fills the visible area of the LCD display and if the aspect ratios are same the low-resolution screenrail image is displayed in step 920 but if the aspect ratios are different the crop is determined in step 916 and the screenrail size image is decompressed and resized into the main image and then displayed on the whole screen].

[Claim 12]

The output control method according to claim 11, wherein centers of said thumbnail image and said main image are matched when said thumbnail image is cut off to have the aspect ratio of said main image (col. 12 lines 1-13)[Anderson discloses that when the aspect ratio of a thumbnail image and LCD screen (same as a main image) are different the thumbnail image is cropped to provide a standard square image so that the central portions of both the main image used to provide the small thumbnails are same or matched in order to have the same aspect ratio].

[Claim 13]

The output control method according to claim 11, wherein said display control step obtains information on types of said image pick up means (col. 11 lines 43-45)[ The information related to the image is shown automatically on the LCD screen].

and determines a position where said thumbnail image is cut off when said thumbnail image is cut off to have the aspect ratio of said main image (col. 12 lines 1-13)[Anderson discloses that in a preferred embodiment, the left and right edge of a landscape image and the top and bottom of a portrait image are cropped which is the same as determining a position where said thumbnail image will be cut off to have the aspect ratio as the main image].

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[Claim 14]

Grounds for rejecting claim 2 apply for claim 14 entirely.

[Claim 15]

Grounds for rejecting claim 3 apply for claim 15 entirely.

[Claim 16]

Grounds for rejecting claim 4 apply for claim 16 entirely.

[Claim 17]

Grounds for rejecting claim 5 apply for claim 17 entirely.

Regarding claims 18-24 these are apparatus claims corresponding to method claim 11-17 respectively. Therefore, claims 18-24 are analyzed and rejected as previously discussed with respect to claim 11-17.

[Claim 25]

An output control method for controlling output of image data imaged by image pick up means, comprising:

image data reading step of reading in said image data and the a display control step of displaying said image data read in said image data reading step on display means; display data forming step of forming display data to be displayed on said display means according to an instruction of said display control step; and display data outputting step of outputting display data formed in said display data forming step on said display means (col. 4 lines 53-57 figure 4)

[DRAM 346 is a contiguous block of dynamic memory which may be selectively allocated to

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various storage functions. LCD controller 390 accesses DRAM 346 and transfers processed image data to LCD screen 402 for display].

wherein the display control step compares aspect ratios of a thumbnail image and a main image in image data read in said image data reading step, and performs control so that said thumbnail image is used as display data to be displayed on said display means when the aspect ratios are the same, and that said main image is used as said display data when the aspect ratios are different (col. 13 lines 1-17 figure 12). [In figure 12 the first step is to compare the aspect ratios of an image with the aspect ratio of a LCD screen which displays the scrennail type image which is same as a thumbnail image but fills the visible area of the LCD display and if the aspect ratios are same the low-resolution scrennail image is displayed in step 920 but if the aspect ratios are different the crop is determined in step 916 and the scrennail size image is decompressed and resized into the main image and then displayed on the whole screen].

[Claim 26]

Grounds for rejecting claim 2 apply for claim 26 entirely.

[Claim 27]

Grounds for rejecting claim 3 apply for claim 27 entirely.

[Claim 28]

Grounds for rejecting claim 4 apply for claim 28 entirely.

[Claim 29]

Grounds for rejecting claim 5 apply for claim 29 entirely.

[Claim 30]

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An output control apparatus for controlling output of image data imaged by image pick up means, comprising:

image data reading means for reading in said image data; display control means for displaying said image data read in by said image data reading means on display means; display data forming means for forming display data to be displayed on said display means according to an instruction of said display control means; and display data outputting means for outputting display data formed by said display data forming means on said display means, (col. 4 lines 53-57 figure 4) [DRAM 346 is a contiguous block of dynamic memory which may be selectively allocated to various storage functions. LCD controller 390 accesses DRAM 346 and transfers processed image data to LCD screen 402 for display].

wherein the display control means compares aspect ratios of a thumbnail image and a main image in said image data read in by said image data reading means, and performs control so that said thumbnail image is used as display data to be displayed on said display means when the aspect ratios are the same, and that said thumbnail image is cut off to have the aspect ratio of said main image and used as said display data when the aspect ratios are different (col. 13 lines 1-17 figure 12). [In figure 12 the first step is to compare the aspect ratios of an image with the aspect ratio of a LCD screen which displays the scrennail type image which is same as a thumbnail image but fills the visible area of the LCD display and if the aspect ratios are same the low-resolution scrennail image is displayed in step 920 but if the aspect ratios are different the crop is determined in step 916 and the scrennail size image is decompressed and resized into the main image and then displayed on the whole screen].

[Claim 31]



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Grounds for rejecting claim 19 apply for claim 31 entirely. Claim 19 is an apparatus claim corresponding to the method claim 12 and was analyzed and rejected based on the method claim 12.

[Claim 32]

Grounds for rejecting claim 20 apply for claim 32 entirely. Claim 20 is an apparatus claim corresponding to the method claim 12 and was analyzed and rejected based on the method claim 13.

Regarding claims 33-36 these are apparatus claims corresponding to method claim 26-29 respectively. Therefore, claims 33-36 are analyzed and rejected as previously discussed with respect to claim 26-29.

[Claim 37]

Claim 37 is same as claim 6 except a storage medium which is used for storing a control program for controlling an output control apparatus that controls output of image data imaged by image pick up means, which can be read by reading means. Anderson discloses a non-volatile memory 350, which may typically comprise a conventional read-only memory or flash memory, stores a set of computer-readable program instructions to control the operation of camera 110 in col. 4 lines 66-67 and col. 5 lines 1-2 figure 4.

[Claim 38]

Claim 38 is same as claim 18 except a storage medium which is used for storing a control program for controlling an output control apparatus that controls output of image data imaged by image pick up means, which can be read by reading means. Anderson discloses a non-volatile memory 350, which may typically comprise a conventional read-only memory or flash

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memory, stores a set of computer-readable program instructions to control the operation of camera 110 in col. 4 lines 66-67 and col. 5 lines 1-2 figure 4.

[Claim 39]

Claim 39 is an apparatus claim, same as claim 25 (which is a method claim) except a storage medium which is used for storing a control program for controlling an output control apparatus that controls output of image data imaged by image pick up means, which can be read by reading means. Anderson discloses a non-volatile memory 350, which may typically comprise a conventional read-only memory or flash memory, stores a set of computer-readable program instructions to control the operation of camera 110 in col. 4 lines 66-67 and col. 5 lines 1-2 figure 4.

[Claim 40]

Claim 40 is same as claim 30 except a storage medium which is used for storing a control program for controlling an output control apparatus that controls output of image data imaged by image pick up means, which can be read by reading means. Anderson discloses a non-volatile memory 350, which may typically comprise a conventional read-only memory or flash memory, stores a set of computer-readable program instructions to control the operation of camera 110 in col. 4 lines 66-67 and col. 5 lines 1-2 figure 4.

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*Conclusion*

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


- US PG-PUB # 2001/0052931 (Suzuki et al.)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yogesh K Aggarwal whose telephone number is (703) 305-0346. The examiner can normally be reached on M-F 9:00AM-5: 30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's primary examiner, Vu Le can be reached at (703) 308-6613. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700

YKA

  
VU LE  
PRIMARY EXAMINER